

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

CASSIE CORDELL TRUEBLOOD, et
al.,

Plaintiffs,

v.

WASHINGTON STATE DEPARTMENT
OF SOCIAL AND HEALTH SERVICES,
et al.,

Defendants.

CASE NO. C14-1178-MJP

ORDER ON MOTION TO
RECONSIDER ORDER OF CIVIL
CONTEMPT

THIS MATTER comes before the Court on Defendants' Motion to Reconsider Order of Civil Contempt. (Dkt. No. 298.) Having considered the Motion, Plaintiffs' Response, and the related record, the Court GRANTS the Motion as to the transcription error in finding of fact three but DENIES the Motion on all other grounds.

Under Local Rule 7(h), "[m]otions for reconsideration are disfavored." LCR 7(h). "The court will ordinarily deny such motions in the absence of a showing of manifest error in the prior ruling or a showing of new facts or legal authority which could not have been brought to its

1 attention earlier with reasonable diligence.” Id.; see also Marlyn Nutraceuticals, Inc. v. Mucos
2 Pharma, 571 F.3d 873, 880 (9th Cir. 2009) (finding a motion for reconsideration warranted only
3 when a district court is presented with newly discovered evidence, committed clear error, or
4 when there is an intervening change in the controlling law).

5 Here, Defendants argue (1) the contempt finding as to in-hospital evaluations is
6 premature because Defendants moved to reconsider aspects of the injunction relating to in-
7 hospital evaluations, (2) the contempt finding is incorrect because Defendants have taken all
8 reasonable steps to achieve compliance, and (3) several findings of fact should be reexamined
9 and amended. (Dkt. No. 298 at 2-6.)

10 First, Defendants’ argument that a contempt finding is premature is unavailing. As
11 Defendants themselves concede, Defendants raised this argument inside the contempt
12 proceeding, and the Court rejected it. While Defendants have asked the Court to reexamine
13 certain of the injunction’s requirements as they relate to in-hospital evaluations, Defendants’
14 request does not justify their failure to comply with the binding orders of the Court in effect at
15 the time. Defendants’ disagreement with the Court’s decision does not demonstrate manifest
16 error and does not provide grounds for reconsideration. DENIED.

17 Second, Defendants’ argument that they have in fact taken all reasonable steps to achieve
18 compliance is also unavailing. The Court has written at length regarding the reasons it
19 concluded Defendants had failed to take all reasonable steps, (Dkt. No. 289 at 4-18), and the
20 Court will not repeat that discussion here. Again, Defendants’ disagreement with the Court’s
21 conclusions does not provide a basis for reconsideration. DENIED.

22 Finally, Defendants’ request to reexamine and amend certain findings of fact is
23 GRANTED in part and DENIED in part. As to finding of fact three, Defendants are correct that
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1 the Court inadvertently cited incorrect figures for in-hospital evaluations at Eastern State
2 Hospital. Finding of fact three is hereby AMENDED to state: "At Eastern State Hospital, both
3 class members ordered to receive in-hospital evaluations in May 2016 were admitted to Eastern
4 State Hospital within seven days. (Dkt. No. 278-2 at 2.)"

5 Reconsideration of the remaining findings of fact is DENIED. Again, that Defendants
6 view the adequacy of their actions differently than the Court does not establish grounds for
7 reconsideration.

8 SO ORDERED.

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10 The clerk is ordered to provide copies of this order to all counsel.

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12 Dated this 17th day of August, 2016.

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15 Marsha J. Pechman
16 United States District Judge
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